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U.S. Supreme Court Clears Way for Executions in Arizona

(Phoenix, Ariz. - April 16, 2008) The United States Supreme Court today upheld lethal injection as a constitutional method of carrying out the death penalty. The ruling removes a moratorium on executions in most states, including Arizona, that had been in place since last September when the nation's highest court agreed to take up the question in *Baze v. Kentucky*.

By a 7-2 vote, the Court held that Kentucky's lethal-injection execution protocol satisfies constitutional requirements and does not result in cruel and unusual punishment. The Court also said that protocols used in 35 other states, including Arizona, that are substantially similar to the Kentucky protocol, will also be upheld.

"I am pleased with the Court's decision," Attorney General Terry Goddard said. "It affirms that the procedure used in Arizona is humane and allows us to proceed and administer justice."

In Arizona, the death penalty moratorium had a direct impact on only one case. The execution of Jeffrey Landrigan, 44, had been stayed pending the Court's decision in *Baze*. In 1989, Landrigan escaped from an Oklahoma prison where he was serving prison terms for a 1982 murder and a 1986 prison stabbing. Less than a month after his escape, he robbed and killed Chester Dyer in Dyer's Phoenix apartment.

Landrigan's execution will not be rescheduled until he is given an opportunity to file a brief addressing today's Supreme Court decision and the State is provided time to respond. This process could take several months.

The last person to be executed in Arizona was Robert C. Comer of Phoenix, who received a lethal injection on May 22, 2007. He was convicted and sentenced to death for the murder of Larry Pritchard in 1987.

Arizona joined in filing a friend of the court brief in support of Kentucky's position in the *Baze* case. A copy of the Court's ruling is available at <http://www.supremecourtus.gov/opinions/07pdf/07-5439.pdf>

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